

REMARKS

Claims 1-15 are pending in the application, of which claims 3, 6, 9, 12 and 15 have been withdrawn from consideration. By this Amendment, independent claims 1, 4, 7, 10 and 13 have been amended. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated September 29, 2010.

Examiner Interview:

Applicants gratefully appreciate the courtesy extend by Examiner Obayandu to Applicants' representative, Thomas E. Brown, during the personal interview conducted at the U.S. Patent Office on December 20, 2010. The substance of the interview is incorporated into the following remarks.

As To The Merits:

As to the merits of this case, the Examiner sets forth the following rejection: claims 1, 2, 4, 5, 7, 8, 10, 11, 13 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama et al. (U.S. Publication No. 20010019960) in view of Chinomi et al. (U.S. Publication No. 20040059498).

This rejection is respectfully traversed.

With regard to the Takayama reference, the Examiner essentially relies on this reference for teaching all of the features of claims 1, 4, 7, 10 and 13, as noted on pages 3 and 6 of the current Office Action; except the Examiner does acknowledge that the Takayama reference “fails to teach the display unit that displays a menu list for selecting a desirable item from within plural items.”

For this feature, the Examiner relies on the secondary reference of Chinomi. That is, the Examiner only relies on the secondary reference of Chinomi for teaching a display unit that displays a menu list for selecting a desirable item from within plural items, as noted in the second paragraph of page 6 of the Action.

During the interview, it was explained to the Examiner that the reliance on the Takayama reference was lacking, since in Takayama the mobile station can only receive content associated with the area of the mobile station is located; and the mobile station is unable to receive content guide information associating the content downloadable to the mobile telephones.

Specifically, the Examiner asserts on page 4 of the Action that Takayama discloses this feature and specifically relies on the disclosure in paragraphs 0040, 0041, 0049 and 0050. However, these paragraphs refer to the downloading of different content to mobile station based on whether the mobile station is detected to be in a designated area; and not to content guide information which associates the content **downloadable** to the mobile telephone.

In other words, in Takayama, the mobile station can only receive content associated with the area of the mobile station is located; and is unable to receive any type of information in advance that lists the services that are receivable in the different areas.

Accordingly, it was explained during the interview that Takayama fails to disclose the features of claim 1 regarding *where the information distribution server is equipped with: a content guide information distribution means that transmits a content guide information associating the content downloadable to the mobile telephones, Personal Handyphone System (“PHS”) devices and other mobile communication terminal equipment with the geographical area to which such content may be downloaded to the mobile telephones, Personal Handyphone System (“PHS”) devices and other mobile communication terminal equipment; ... and the system is configured in such manner that the mobile telephones, Personal Handyphone System (“PHS”) devices and other mobile communication terminal equipment acquires the content guide information associating the content corresponding to the selected item in the menu list with the geographical area to which such content may be downloaded.*

For example, as shown in Fig. 3 of the present application, the information distribution server processor in step S20 transmits the content guide information to the mobile terminal in advance and then in step S25 transmits the specific content or the content in question to the mobile terminal.

In response during the interview, the Examiner indicated that these features in claim 1 were needed to be clarified.

Accordingly, in accordance with the Examiner's suggestions, claim 1 has been amended to include the feature concerning *wherein the content guide information is transmitted from the information distribution server to the mobile telephones, Personal Handyphone System ("PHS") devices and other mobile communication terminal equipment in advance of the information distribution server distributing the content in question to the mobile telephones, Personal Handyphone System ("PHS") and other mobile communication terminal equipment.*

Independent claims 4, 7, 10 and 13 have also been amended to include this feature.

Applicants submit that it is impossible for Takayama to disclose the above-noted features of claim 1. Additionally, the Examiner has failed to rely on Chinomi for teaching these drawbacks and deficiencies of Takayama. Accordingly, it is believed that the Examiner has failed to establish a *prima facie* case of obviousness.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

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Response

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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